

## **Draft New Constitution : Democratic watershed event in Morocco**

### **I. Next generation Constitution :**

1. Beyond the organization and distribution of powers (State institutions Constitution), there is a confirmation of a true **citizens' Charter** (Constitution for the Citizens). It provides for a **State organization system** based on **advanced regionalization** (local and regional dimension in the Constitution) and for a culture of **responsibility and accountability** (good governance Constitution) ;
2. **Coherence and modernity both in terms of form** (180 - instead of 108 previously - Articles well-articulated under 14 Chapters) and in terms of **modern wording** of the **Preamble, which is an integral part of the Constitution** and of **constitutional provisions** (gender-sensitive approach).

### **II. Democratic, inclusive and transparent approach** (Constitution drawn up by Moroccans, for all Moroccans) :

3. **Address of 9 March, 2011: democratic frame of reference set out by His Majesty for a sweeping constitutional revision**
4. **Advisory Committee for the revision of the Constitution** : Hearing sessions and reception of the memoranda of all stakeholders (political parties, trade unions, civil society groups and youth representatives) and preparation of an innovative draft Constitution;
5. **Follow-up and consultation through a political mechanism** : effective participation of all political parties and trade unions in preparing the draft Constitution, from beginning to end.

### **III. Confirming the fundamental constituents of the diversified, open Moroccan identity:**

6. **A sovereign Moslem State, committed to the ideals of openness, moderation, tolerance and dialogue to foster mutual understanding among all civilizations ;**
7. **A Nation whose unity is based on the fully endorsed diversity of its constituents** : Arabic, Amazigh, Hassani, Sub-Saharan, African, Andalusian, Jewish and Mediterranean components ;

### **IV. A revisited linguistic pact grounded in pluralism and open attitude:**

8. **The official status of the Arabic language has been enhanced ; official status granted to the Amazigh language** with a gradual integration process (schools and main public sectors) ;
9. **Active, harmonious linguistic and cultural policy** geared towards the protection and promotion of national and official languages, and encouraging the learning of foreign languages which foster openness and permit access to the knowledge-based society ;
10. **Creation of a national Council for the promotion of languages and the Moroccan culture.**

### **V. A full-fledged Charter of fundamental rights and freedoms rooted in the universal frame of reference for human rights :**

11. **Primacy of the international conventions duly ratified by the Kingdom over domestic laws;**
12. **Prohibiting all forms of discrimination** on the basis of sex, color, creed, culture, social or regional background, language or disability ;
13. **Strengthening a full-fledged architecture of rights and freedoms worthy of advanced democratic societies**: right to life ; right to personal security and that of property ; prohibition of torture and of all serious, systematic violations of human rights; presumption of innocence and right to fair trial ; freedom of thought, of opinion and of expression ; freedom of the press and right to access information ; freedom of assembly, peaceful demonstration and association; freedom to join trade unions and political parties.

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14. **Expanding economic, social and environmental rights** (to which the State and all public authorities will be contributing) : health ; social protection ; modern, accessible quality education; decent housing ; a healthy environment and sustainable development.

**VI. Enhancing gender equality through the confirmation of parity:**

15. **Gender equality** in civic, political, economic, social, cultural and environmental rights ;  
16. **Setting up of an Authority for the achievement of parity and the fight against all forms of discrimination.**  
17. **Use legislation to implement affirmative action measures** for the benefit of women to encourage access to elected office ;

**VII. National sovereignty and supremacy of the Constitution**

18. **Sovereignty lies with the nation** which exercises it by referendum and through its representatives;  
19. **Election of the representatives of the people to elected national, local and regional institutions**, by direct universal suffrage, through **free, fair and transparent elections** ;  
20. **Supremacy of the Constitution** over all powers, without exception ; any litigant can challenge the constitutionality of a law (this is a daring, pioneering measure which makes it possible for the citizens to realize that the Constitution is of their own making);

**VIII. Separation of powers under a constitutional, democratic, parliamentary and social monarchy :**

21. **Citizen-based monarchy which upholds the nation's basic policy objectives, fulfilling sovereignty and ultimate arbitration functions :**
- **Deletion of all references to the sacredness** of the person of the King, replacing it with the more modern notion of inviolability and the respect due to the King ;
  - **Detailed, explicit differentiation between the powers of the King** as Commander of the Faithful (in charge of the religious domain) and as Head of State, symbol of the nation's unity and territorial integrity, who performs arbitration functions and who guarantees the nation's democratic choices and safeguards the country's best interests;
22. **A government emanating from an elected Parliament, and placed under the authority of a Head of Government who exercises full executive power :**
- Democratic procedure for the appointment of the Head of Government, who is appointed by the King from among the party which wins the general elections and is endorsed by the absolute majority of the House of Representatives, to which the Head of Government shall be answerable ;
  - A true Head of Government and not just a foremost minister ; a true chief and leader of the cabinet, who will manage the administration, exercise real executive power and enjoy extensive prerogatives in terms of appointing senior civil servants ;
  - The Governing Council has become the forum for the definition and implementation of state policy ;
23. **A strong Parliament with enhanced powers, which will exercise the legislative power, enact laws, control the Government and assess public policies :**
- **Two-chamber system** which confirms the supremacy of the House of Representatives which can on its own challenge the Government; **the second Chamber** now has a reduced membership as well as a local and regional mission; trade unions and professional organizations are also represented in the second Chamber ;



- **Legal field** increased from 30 subjects to 60, including 26 organic laws, particularly the guarantees relating to rights and freedoms, amnesty, the division into constituencies and all aspects of civil, economic and social life ;
  - **Effective parliamentary control mechanisms for which the required quorums have been made more flexible:** motion of censure, committees of inquiry, referral to the Constitutional Court, convening of a special session.
24. **Flexible balance between the legislative and the executive branches :** the Government is now answerable only to the House of Representatives ; the latter can be dissolved not only by the King, by virtue of his prerogatives regarding arbitration and the guarantee of the proper functioning of institutions, but also by the Head of Government, through a decree;

#### **IX. The Judiciary becomes an independent power, ensuring genuine protection of rights and guaranteeing compliance with the law :**

25. **Basic, constitutionalized guarantees of independence for judges :** Status of judges reinforced by an organic law, prohibition of interference in the work of judges, or any kind of pressure;
26. **The cornerstone of this branch is now the Supreme Council for Judicial Power:** it is chaired by the King, who ensures, in particular, that the guarantees granted judges are enforced; **the new Constitution introduces three basic features**
- Vice-Presidency is now entrusted to the President of the Court of Cassation, instead of the Minister of Justice; there is also enhanced representation of women judges;
  - Membership open to well-known figures in the area of championing the independence of the Judiciary ;
  - Beyond judges' career management, the extended powers cover control and assessment of the judiciary and of the administration of justice ;
27. **A true constitutional Court, which serves as the watchdog of constitutional supremacy:** half its members are now elected by both Houses of Parliament; its powers have been extended to checking the constitutionality of conventions; referral open to the public.

#### **X. Enhanced constitutional status of the stakeholders involved in democratic life and in the citizen-based participatory democracy :**

28. **Confirming the key role of political parties in democratic life ;** contribute to the exercise of the right to vote, participate in the exercise of power, based on pluralism and democratic alternation in the exercise of political power; functioning methods that are consistent with democratic principles, no dissolution or suspension without a court ruling.
29. **Recognition of a genuine status for the parliamentary opposition:** in addition to the relaxed provisions mentioned under item 8, chairmanship, of right, of the legislation commission, equitable access to state media, entitlement to public funding, actual participation in the control of Government and in parliamentary committees of inquiry;
30. **Strengthening the role of trade unions as levers of social democracy,** and as political players by maintaining their presence in the second Chamber;
31. **Recognizing the status and role of civil society and NGOs as stakeholders in participatory democracy,** at national, local and community levels ;
32. **Confirming the status and role of the media in promoting democracy as well as citizens' rights and freedoms :**
- Guaranteeing press **freedom** and the right to **information** ;
  - **Democratic regulatory measures for, and organization of, the press and audiovisual communication sectors,** including audio-visual means (the HACA enshrined in the Constitution).



33. **Creating new forums for participatory democracy** : involving education, the family and children, youth and civic associations.

## **XI. Regional and local democracy, and advanced regionalization:**

34. **Enshrining advanced regionalization in the Constitution** : as well as redistributing the powers between constitutional institutions, the new Constitution paves the way for a country with united regions, based on a democratic reorganization of powers between the State and the regions;
35. **Confirmation of the basic principles underlying the Moroccan regionalization system** :
- National, local and regional unity, balance, solidarity and democratic practices ;
  - Election of regional councils by direct suffrage, right of petition;
  - Principles of self-management and subsidiarity ;
  - Transferring the executive power of these councils to their presidents ;
  - The regional Council will serve as a college for election to the House of Councilors.
36. **Constitutional basis for a new local and regional setup in the Kingdom**, conducive to :
- Substantial devolution of powers from the central authority to the regions ;
  - Several forms of partnership and contractual relationships between the State and the regions, and between local governments;
  - Development and devolution of central powers.
37. **Creation of a regional equalization fund and of a fund for the social overhauling of regions.**

## **XII. Fundamental principles in the area of good governance, integrity in public institutions and economic rule of law :**

38. **Relationship between office-holding, public office and accountability ;**
39. **Constitutionalizing the principle of the balance of public finances ;**
40. **Confirming the basic principles of social market economy and economic rule of law :**
- The right to property, free enterprise and free competition
  - The prohibition of conflicts of interest, of insider trading and of practices that are contrary to the principles of free and fair competition in economic relations;
41. **Strong measures to promote transparency and the fight against corruption** : Sanctioning all forms of wrongdoing in the management of public funds, corruption and influence peddling.
42. **Strict prohibition of party-switching by parliamentarians**, both with respect to parties and parliamentary groups (this will contribute to the rehabilitation of politics and give meaning to voting) ;
43. **Restricting the benefit from immunity** (limited to the expression of opinion and to voting in Parliament ; equality of all before the law as a result of cancelling the High Court, previously meant as a court for ministers);
44. **Good governance in the area of security : Setting up a Supreme Strategic Security Council** as a consultative institution which deals with the country's internal and external security strategies, as well as with the management of crisis situations; it also institutionalizes standards for good security governance.
45. **Enshrining in the Constitution the Competition Council** and the national authority for integrity and for the prevention and fight against corruption, in addition to other independent institutions for the protection and promotion of human rights, good governance and regulation, especially an independent council for human rights and the Al Wasseet (Ombudsman) institution.





*Speech of His Majesty Mohammed VI  
King of Morocco  
Rabat, June 17, 2011  
Speech to the Nation*

Praise be to God. May peace and blessings be upon the Prophet, His Kith and Kin

**My loyal subjects,**

I am addressing you today to renew our joint commitment through a new Constitution, which represents a watershed event in the process of completing the construction of a State based on the rule of law and on democratic institutions, and to firmly establish the principles and mechanisms of good governance, provide for dignified citizenship and ensure social justice.

This is the ambitious project I set out to achieve since my accession to the Throne, in close conjunction with the nation's stakeholders. Thanks to this approach we have managed, three months after having launched a constitutional revision process, to develop a new democratic constitutional charter based on the frame of reference set out in my historical speech delivered on 9 March 2011, which received unanimous national support. It is also based on the appropriate suggestions made by political parties and trade unions, community groups and youth organizations, as well as the creative work of the Advisory Committee, in addition to the constructive efforts of the Political Mechanism, both of which have been set up for this purpose.

I should like to commend the democratic contribution of all the parties and stakeholders involved. Through this participatory approach, we have managed to overhaul the current Constitution and develop a new constitutional text. The latter has unique characteristics relating to three aspects: methodology, format and content.

As regards methodology, I wanted to make sure - and this is a first in the history of our country - that the new Constitution is drawn up by Moroccans, for all Moroccans.

As for format, it is based on a new layout that concerns all its chapters, from the preamble - which is an integral part of the Constitution - to the very last article. The new text is thus composed of 180 articles, up from 108 articles in the earlier version.

With respect to content, the draft text is a distinctively Moroccan constitutional model based on two complementary pillars:

- + The first pillar is the commitment to the Moroccan nation's immutable values, the preservation and sustainability of which is entrusted to me, within the framework an Islamic country in which the King and Commander of the Faithful ensures the protection of the faith and guarantees the freedom of religious practice.



Enshrined in the draft Constitution are the status of our country as a constituent of the Maghreb, as well as its commitment to building the Maghreb Union, consolidating Arab and Islamic brotherhood as well as African solidarity, expanding and diversifying cooperation and partnership relations with its European and Mediterranean neighbors and with all countries around the world, and confirming Morocco's status as a modern State committed to UN conventions, and as an active member of the international community.

+ The second pillar confirms the features and mechanisms of the parliamentary nature of the Moroccan political system, which is essentially based on the principles of the nation's sovereignty, the supremacy of the Constitution as the source of all powers, and the link between public office and accountability, as part of an efficient, rational constitutional system whose core elements are the balance, independence and separation of powers, and whose foremost goal is the freedom and dignity of citizens.

One of the changes that attest to the separation of powers and the clear definition of their prerogatives is the splitting up of current Article 19 in two articles:

+ A separate article concerns the exclusive religious powers of the King, Commander of the Faithful and President of the Higher Ulema Council, an institution which has been elevated to the constitutional rank.

+ Another article specifies the status of the King as Head of State and the country's Supreme Representative. He is the symbol of nation's unity and guarantor of its continuity and sustainability, and of the Kingdom's independence, sovereignty and territorial integrity. The King is trustworthy guide and the supreme arbitrator who is entrusted with the task of safeguarding democratic choices and ensuring the proper functioning of constitutional institutions; he is above all types of affiliation.

The King shall exercise the duties relating to sovereignty, arbitration and the guarantees he provides, and which are mentioned in this article, in accordance with the provisions expressly stipulated in other articles of the Constitution; legislation shall remain the exclusive jurisdiction of the Parliament.

### **My loyal subjects,**

The official constitutional project is more than a foremost legislative text. I consider it to be the bedrock of the special Moroccan democratic development model - a new historical bond between the Throne and the people, as reflected in the following ten basic elements:

+ First: Enshrining in the Constitution the citizenship-based Monarchy and the Citizen King through the following:

+ Specify that the person of the King shall be inviolable, and that respect and reverence shall be due to him as King, Commander of the Faithful and Head of State.

+ Set the legal age for the King at 18, instead of 16, as is the case for his Moroccan brothers and sisters.

+ Entrust the presidency of the Regency Council to the President of the Constitutional Court, given that the latter is the institution in charge of upholding the Constitution. This reinforces the core mission of the Council. All constitutional powers are to be represented in it as a result of adding to its membership the Head of Government and the Deputy Chairman of the Higher Council of the Judicial Branch; similarly, the Ulema's representation in the Regency Council will be enhanced, since the Secretary-General of the Higher Ulema Council will be a member of the Regency Council.



+ Second: constitutionalizing the Amazigh language as an official language of the Kingdom, alongside Arabic:

Given the cohesion characterizing the various components of our unified, rich and diverse national identity - including the Arabic-Islamic, Berber, Saharan, African, Andalusian, Jewish and Mediterranean components - the draft Constitution confirms the status of Arabic as an official language of the Kingdom, and provides that the State pledges to protect and promote it.

It also provides for constitutionalizing the Amazigh language as an official language as well, within the framework of a pioneering initiative which is the culmination of a course of action to rehabilitate the Amazigh language as a heritage belonging to all Moroccans. The official character of the Amazigh language will be gradually implemented through an organic law, which will specify the ways and means of integrating it in teaching and in basic public sectors.

In parallel, the draft Constitution provides for the promotion of all linguistic and cultural expressions in Morocco, particularly the Hassani culture, which is a characteristic feature of our beloved Saharan provinces.

Consistent with my keen desire to upgrade the skills of our youth and of our human resources - so that they may access the knowledge and globalization-based society, and at the same time have a good command of science and technology -, the draft Constitution mentions the need to learn the world's foremost international languages, within the framework of a well-thought, coherent strategy that would bolster national unity. This is a task which will be supervised by a higher council whose mission will be to promote the Moroccan culture as well as our national and official languages, and to streamline the action of the institutions concerned, including the body in charge of developing the Arabic language.

+ Third: Enshrining in the Constitution all human rights as they are universally recognized, with the applicable mechanisms and enforcement guarantees. As a result, the Moroccan Constitution will be a human rights Constitution as well as a charter for citizenship rights and obligations.

In this regard, the draft Constitution provides for the pre-eminence of international covenants - as ratified by Morocco - over national legislation, as well as gender equality in civil rights, within the framework of respect for the Constitution, and for the Kingdom's laws which are derived from Islam. The draft Constitution also provides for equality between men and women in all political, economic, social, cultural and environment-related rights; it sets up a mechanism to promote gender equality.

The draft Constitution confirms the commitment to all human rights, especially the presumption of innocence and guaranteeing the conditions for a fair trial. It criminalizes torture, enforced disappearance, arbitrary detention and all forms of discrimination and inhuman, degrading practices. The draft Constitution also upholds freedom of the press and of expression and opinion, as well as the right to access information and to submit petitions, in accordance with norms and criteria specified in an organic law.

The constitutional guarantees regarding the rights of the working class have been reinforced in order to promote social justice and national solidarity, in addition to freedom of private initiative and the rule of law in the corporate sector.

+ Fourth: An executive branch led by the Head of Government, in accordance with democratic practice:

In this regard, the constitutional status of "the Prime Minister" will be elevated to that of "Head of Government" and of the executive branch; he will be appointed from the party which wins the general elections, thereby confirming that the government will result from direct universal suffrage.



Confirming the full authority of the Head of Government over cabinet members, the Constitution gives the Head of Government the power to propose and dismiss cabinet members, to steer and coordinate government action, and to supervise public service. Thus, the Head of Government has been given appointment powers, via decree, in civilian positions, in accordance with an organic law which will specify the list of these positions as well as the conditions required to hold public office on the basis of merit, transparency and equal opportunity for all Moroccans.

The King, on a proposal by the Head of Government and at the initiative of the ministers concerned, will exercise the power of appointment, at the Council of Ministers, in some senior public positions, such as those of wali, governor, ambassador and the officials in charge of domestic security agencies and strategic national institutions. As for appointments in the military, they remain an exclusive, sovereign prerogative of the King, Supreme Commander and Chief of Staff of the Royal Armed Forces.

The draft Constitution also empowers the Head of Government to dissolve the House of Representatives, and stresses that the King shall consult him before announcing the state of exception or the dissolution of Parliament. It specifies the conditions to be observed in each case in order to ensure the separation of powers as well as balance and cooperation between the branches.

To provide the Government with a constitutional basis for the exercise of its regulatory and executive powers, the Governing Council has been enshrined in the Constitution; its powers have been specified and clarified in coordination with and in light of the powers of the Council of Ministers.

+ The Council of Ministers is held under the chairmanship of the King, at his initiative or at the request of the Head of Government, who participates in its proceedings along with the ministers only. The King may delegate the chairmanship of the Council to the Head of Government, on the basis of a specific agenda, the aim being to enhance the executive authority of the Head of Government. As for the Governing Council, it is chaired by the Head of Government, at his initiative, with the participation of all cabinet members.

+ As regards prerogatives, the Governing Council shall have extensive, specific executive powers, some of which will be of a decision-making nature, and others of a deliberative character; the latter will be referred to the Council of Ministers for decision, as part of the powers retained by the latter in terms of strategy, arbitration and general policy, including the preservation of macro-economic and financial balance, which has now become a constitutional norm.

+ Fifth: A legislative branch which wields strong legislative and regulatory power as well as authority to assess government policy. The draft Constitution asserts the pre-eminence of the House of Representatives, which shall have the final say in the ratification of legislative texts. It will also have greater powers in terms of control over the government, especially as the government will be accountable only to Parliament. The power of legislation and the enactment of all laws will be the exclusive prerogative of Parliament, and the domain of law will therefore increase from 30 fields currently to more than 60 in the proposed Constitution.

To raise moral standards in parliamentary action, the draft Constitution forbids party-switching and restricts parliamentary immunity to the expression of opinion only, to the exclusion of ordinary criminal cases. The draft Constitution also cancels the High Court of Justice for cabinet members, thus confirming the principle of equality of all citizens before the law and the judiciary.

As regards the House of Councilors, and in order to rationalize its composition, the draft Constitution provides that it be made up of 90 to 120 members.



In this regard, and in response to a request submitted by trade unions - and backed by political parties - regarding union representation in the second chamber, I have decided, as part of my arbitration prerogatives, to provide for appropriate representation of trade unions, professional organizations and national employers' associations. This decision is fully consistent with the very nature of the Moroccan social monarchy, as well as with my system of governance, which places the improvement of the citizens' social conditions at the heart of my concerns, in both political and practical terms.

With respect to our fellow citizens living abroad, they will be represented in Parliament as soon as a democratic form of representation takes firm shape, knowing that they have the right to vote and to stand as candidates in both Houses.

+ Sixth: Set up a special system and effective mechanisms for parliamentary opposition in order to enhance its status and role in enriching parliamentary action, in terms of both legislation and control. It now has the right to proportional representation in all the bodies and organs of Parliament. The draft Constitution also stipulates that the Head of Government shall make a progress report to Parliament on government action, and answer questions on public policy. Similarly, the draft Constitution lowers the quorum required to move a motion of censure, set up commissions of inquiry and refer bills to the Constitutional Court. Parliamentary committees will have the right to address questions to officials in charge of administrations and public institutions.

+ Seventh: Enhance the status of the judiciary as a branch which is autonomous from the executive and the legislative branches, thus confirming the independence of the judiciary, of which I am the guarantor. The draft Constitution explicitly says that while judgments are pronounced in the name of the King, they must be consistent with the law. To preserve the inviolability of the judiciary, the draft Constitution criminalizes any interference, corruption or influence peddling with regard to the judiciary.

Similarly, the draft Constitution sets up the "Higher Council of the Judicial Branch", as a constitutional institution headed by the King, in replacement of the Higher Council of the Judiciary, with a view to giving administrative and financial autonomy to the new Higher Council. It also makes the President of the Court of Cassation Executive President of the Council - instead of the Minister of Justice in the current Constitution - the aim being to bolster the separation of powers.

Similarly, the composition of the new Council has been enhanced by increasing the number of elected representatives of judges, as well as the representation of women judges, making sure Council membership is open to personalities and institutions operating in the area of human rights and the defense of judicial independence.

Council powers have also been expanded to include, in addition to the judges' career issues, the functions of inspection as well as the expression of opinions on legislative and regulatory texts relating to the judiciary, and assessment of the judicial system.

To confirm the principle of the supremacy of the Constitution and the law, the Constitutional Council has been elevated to the rank of a "Constitutional Court" with extensive powers which, in addition to existing prerogatives, include checking the constitutionality of international conventions and ruling on disputes between the State and the regions. In order to promote democratic citizenship, this Court has been authorized to look into litigants' claims regarding the unconstitutionality of a law which the Judiciary may deem detrimental to constitutional rights and freedoms.

Eighth: Constitutionalizing certain key institutions, while leaving the door open for the establishment - through legislative or regulatory texts - of other mechanisms and institutions in order to promote citizenship and democratic participation:



Thus, several institutions have been enshrined in the Constitution, such as the Al-Wasseet Institution (Ombudsman), the Council of the Moroccan Community Abroad, and the High Authority for Audiovisual Communication. Similarly, the powers of the Economic and Social Council have been expanded to cover environmental issues, and those of the Higher Council for Education have been increased to include training and scientific research.

Also enshrined in the proposed Constitution is the National Council for Human Rights. Moreover, the constitutional status of political parties, trade unions, professional organizations and civil society groups has been enhanced through the allocation of several articles to each category.

To give young people an institutional forum for expression and debate, I was keen to set up a Council for Youth and Community Work as an institution with a proactive role designed to enable young people to contribute to building a nation based on unity, dignity and social justice, in keeping with the principles of democracy and responsible citizenship.

+ Ninth: Strengthen the mechanisms of good governance, integrity in the public sector, and the fight against corruption, through the establishment of a coherent, full-fledged national institutional system. To this end, the role of the Court of Auditors and of the Regional Courts of Auditors will be reinforced in terms of control of public money and enforcement of the principles of transparency, responsibility, accountability and prevention of impunity. The Competitiveness Council and the National Authority for integrity and the prevention and fight against corruption will be enshrined in the Constitution.

As security, in the strategic acceptance of the term, has become a global challenge, I was keen to provide our country with an advisory institutional mechanism in the form of a Supreme Security Council which will convene under my chairmanship. I may delegate the Council's chairmanship to the Head of Government, on the basis of a duly specified agenda. The heads of the legislative, executive and judicial branches as well as the ministers, officials and personalities concerned will be members of the Council. The Security Council will be in charge of the management of internal and external strategic security issues, as well as structural and emergency matters. It will serve as a proactive instrument to ensure good security governance.

### **My loyal subjects,**

Our overall perception of genuine democracy and good governance does not stop at a mere redistribution of central powers; rather, it is based on a distribution of powers and resources between the central authority and the regions, within the framework of an advanced regionalization system which I consider to be the pillar of the extensive reform and modernization of state institutions.

The tenth basic element falls within the framework of this vision. It concerns the enshrining, in the Constitution, of our country as a unifier of regions; a country based on a democratic, highly decentralized system, which seeks to achieve integrated human and sustainable development, within the framework of the State's national unity and its territorial integrity, and in keeping with the principles of balance and national and regional solidarity.

To highlight this strategic choice in the draft Constitution, a chapter has been devoted to local governments and advanced regionalization, in light of the frame of reference I set out in my historic address on 9th March 2011. An organic law will define the powers of the State and of regions, in addition to the resources, organization and mechanisms of regionalization.

### **My loyal subjects,**

As perfect as it may be, a constitution is never an end in itself, but rather a means for the establishment of democratic institutions. The latter require reforms and political overhauling in which all stakeholders should take part, so as to achieve our shared ambition, namely to promote development and enable all our citizens to lead a dignified life.



In this sense, when the nation's First Servant accomplishes his civic duty, and votes "Yes" to the draft Constitution which will be submitted to the people via referendum, it is because of a firm conviction that this draft Constitution duly takes into account the democratic principles, development-oriented institutions and mechanisms of good governance required; and because it safeguards the rights and dignity of all Moroccans, in keeping with the principles of equality and the rule of law.

I shall vote "Yes" because I am convinced that the draft Constitution's democratic essence will provide a strong impetus for the final settlement of the just cause of the Moroccan Sahara, on the basis of our Autonomy Initiative. It will also enhance Morocco's regional leadership as a State with a truly distinctive, unity-based democratic approach.

I therefore call on political parties, trade unions and civil society organizations, which participated freely, from beginning to end, and with a keen sense of commitment, in developing this draft Constitution, to seek to mobilize the Moroccan people, not only for the purpose of voting the draft Constitution, but also to see to it that it is implemented. Indeed, it constitutes the best means for the accomplishment of the legitimate aspirations of our responsible, vigilant young people, and of all Moroccans, who aspire to achieve our shared ambition of building our nation of the solid foundation of tranquility, unity, stability, democracy, development, prosperity, justice, dignity, the rule of law and the institutions-based State.

I shall be at the forefront, seeking an optimal implementation of this sophisticated constitutional project which strengthens the foundations of a constitutional, democratic, parliamentary and social monarchy, once the draft Constitution has, by the Grace of the Almighty, been approved by referendum, next July 1st.

"Say: 'This is my way: I do invite unto Allah,- on evidence clear as the seeing with one's eyes,- I and whoever follows me'."

The Word of God is Truth.

Wassalamu alaikum warahmatullah wabarakatuh



**FOR IMMEDIATE RELEASE:**

**Friday, June 17, 2011**

## **Media Alert**

# **King Mohammed VI Sends Landmark Constitutional Changes to Moroccan People for a Vote**

**Washington DC** (June 17)—In an address to the people of Morocco this evening, His Majesty King Mohammed VI outlined bold Constitutional amendments that establish the Moroccan Kingdom as a constitutional monarchy and a parliamentary system with sovereignty vested in the people. The reforms strengthen Morocco's governing institutions—in particular a Prime Minister as Head of Government, Parliament, and an independent Judiciary. In keeping with King Mohammed VI's promise, the people of Morocco will "have the final say" in a national referendum set for July 1.

Highlights of the new Constitutional amendments and initiatives:

- Changes will bring about a constitutional monarchy with a parliamentary system of government with sovereignty vested in the people.
- The Head of Government will be a Prime Minister appointed from the party that wins the general election, with the power to propose and dismiss cabinet members, and propose senior government officials and Ambassadors.
- It will establish an independent Judiciary, and guarantee freedom from illegal searches or detention, privacy for communications, and the right to trial and a lawyer for anyone arrested by the authorities.
- A robust regionalization initiative will transfers power from central government authorities to elected local and regional officials directly accountable to citizens.
- Equality of all citizens regardless of sex, origin, language, religion, or creed is guaranteed.
- Amazigh, for the first time, will be recognized as an official language following Arabic, the traditional official language.
- Institutions will be strengthened to promote good governance, human rights, and protection of freedoms.
- Mechanisms to ensure oversight and accountability in the exercise of power in public office will be established.
- The national referendum to approve the amendments will be held on July 1st.

These latest reforms build on Morocco's efforts over the past two decades to empower people politically, socially, and economically—through holding free and fair elections, building a vibrant civil society, improving women's rights, raising living standards, and safeguarding human rights.

**For the Full Text of His Majesty King Mohammed VI's June 17<sup>th</sup> speech, go to:**

[http://www.map.ma/eng/sections/main1/hm\\_the\\_king\\_adresse/view](http://www.map.ma/eng/sections/main1/hm_the_king_adresse/view)

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**The Moroccan American Center for Policy (MACP)** is a non-profit organization whose principal mission is to inform opinion makers, government officials and interested publics in the United States about political and social developments in Morocco and the role being played by the Kingdom of Morocco in broader strategic developments in North Africa, the Mediterranean, and the Middle East. For more, please visit [www.moroccanamericanpolicy.org](http://www.moroccanamericanpolicy.org)

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## Morocco's Landmark Constitutional Reforms Win Broad Praise from US, EU, France, Britain, Spain, Congress, and Policy Experts

Moroccan people 'will have final say' in July 1 national referendum —HM King Mohammed VI

**Washington, DC** (June 21)—The historic, far-reaching Constitutional reforms announced June 17 by His Majesty King Mohammed VI to strengthen Morocco's democratic institutions and establish it as a constitutional monarchy are winning broad praise from world leaders, the US Congress, policy experts, and commentators. The amendments, which will be voted on by the Moroccan people in a national referendum on July 1, come as prospects for the 'Arab Spring' remain uncertain and turmoil continues across the region.

Recognition for Morocco's reforms has come from across the international community. The [United States](#) said it is "encouraged by the proposals put forward by the king to transform Morocco's democratic development through constitutional, judicial and political reforms." [The European Union](#) called the reforms "a major step" signaling "a clear commitment to democracy" and respect for human rights." It added that new measures would continue "the Kingdom's already-launched reform process" and advance "separation of powers," "independence of the judiciary," "regionalization," and "equal rights for men and women."

[French President Nicolas Sarkozy](#) said the advances were "exemplary," and put Morocco on "a path of profound, peaceful and modern transformation." [Britain](#) welcomed Morocco's "commitment to reform" and [Spain](#) also congratulated the Moroccan leader. The 47-member [Council of Europe](#) went so far as to make Morocco its first "partner for democracy" among nations in the region.

US Congress Members also praised the reforms. "While much of the Arab world is struggling under tyrannical regimes," said Congressman Mario Diaz-Balart (FL), "Morocco provides an example of how to pursue positive reform." He added, "The people of Morocco will participate in a historic vote on a series of broad and significant constitutional and government reforms July 1."

"I am encouraged by King Mohammed VI's speech," said Rep. Jim Moran (VA), "which underscores his commitment to constitutional, judicial, and political reforms for Morocco. Authentic reforms will only strengthen the longstanding bond of friendship between our countries."

Rep. Steve Rothman (NJ) said "King Mohammed VI of Morocco spoke to his citizens and outlined historic reforms to establish a constitutional monarchy and a democratic parliamentary system of government. As Morocco continues to take greater steps towards democracy, the future of Morocco will increasingly be in the hands of its people—where it belongs. I applaud King Mohammed VI for this bold move."

"King Mohammed VI promised reform and is following through," said Rep. Steve Cohen (TN). "These latest reforms build on Morocco's efforts over the past two decades to empower people politically, socially, and economically."

Policy experts viewed the reforms as a positive development in the region. "What's so important about what the Moroccan King has done is that he is forging a different model of change in the Arab world," said [Kenneth M. Pollack](#), Director, Saban Center for Middle East Policy at The Brookings Institution. If Morocco continues the "bold vision" of its "quiet revolution," Pollack said, "it will be the model of what meaningful, gradual, peaceful change in the Arab world could and should look like" and "transform not just Morocco, but the entire region."

[Dr. J. Peter Pham](#), Director, Michael S. Ansari Africa Center, The Atlantic Council said that while the outcome of uprisings in the Arab region remains uncertain, the path Morocco is choosing "sets an example in terms of reforms that pay heed to history, religion and culture," and would resonate across the MENA region.

**For the Full Text of His Majesty King Mohammed VI's June 17<sup>th</sup> speech, go to:**

[http://www.map.ma/eng/sections/main1/hm\\_the\\_king\\_adresse/view](http://www.map.ma/eng/sections/main1/hm_the_king_adresse/view).

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